

## Item 5.

### Policy – Adoption – Managing Asbestos Policy and Guidelines

File No: S111706

#### Summary

In October 2013, Council approved the Managing Asbestos Policy and Guidelines which were drafted having regard to the Local Government NSW Model Asbestos Policy for councils. The model policy was developed by the NSW Asbestos Coordination Committee (NACC) to promote a consistent Local Government approach to asbestos management.

The purpose of the Managing Asbestos Policy and Guidelines is to communicate:

- the role that the City and other organisations have in managing asbestos;
- the City's relevant regulatory powers;
- the City's approach to dealing with sites contaminated by asbestos and emergencies or incidents;
- general advice to residents on renovating homes that may contain asbestos;
- the City's development approval process for developments that may involve asbestos and conditions of consent;
- waste management and regulation procedures for asbestos waste in the Local Government Area; and
- the implications of not complying with this policy, relevant legislation, guidelines and codes of practice relating to the management of asbestos.

The policy and guidelines have been reviewed to ensure that they reflect current legislation, codes of practice and regulatory best practice. Revisions have been made to both the policy and guidelines to reflect state authority name changes, changes to referenced standards and legislation and transfer of both the policy and guidelines into the new City template.

Internal and external consultation has been undertaken as part of this review. Comments were received from SafeWork NSW and Local Government NSW (LGNSW).

Due to the administrative nature and frequency of minor change required to the guidelines, including authority name changes, website changes and new guidance, it is recommended that the current guidelines be rescinded and the revised guidelines be approved administratively in future.

## Recommendation

It is resolved that:

- (A) Council endorse the revised Managing Asbestos Policy, as shown in Attachment A to the subject report;
- (B) Council rescind the current Managing Asbestos Guidelines, noting that the guidelines have been revised and will be approved administratively to enable them to be updated and changed quickly as needs arise; and
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to the Managing Asbestos Policy, as required from time to time, subject to Councillors being informed of any such changes.

## Attachments

**Attachment A.** Revised Managing Asbestos Policy 2020

**Attachment B.** Current Managing Asbestos Policy

**Attachment C.** Current Managing Asbestos Guidelines

## Background

1. In 2013, Local Government NSW released the Model Asbestos Policy for use by NSW Councils. The model policy was developed by NSW Asbestos Coordination Committee (NACC) (formally Heads of Asbestos Coordination Authorities - HACA) to promote a consistent Local Government approach to asbestos management across NSW.
2. The Office of Local Government (formerly the Director General of the Division of Local Government) has issued a direction that required local Councils to have a policy that outlines how they will manage the risks associated with asbestos and that local Councils when drafting their own policy must have regard to the Model Policy.
3. In October 2013, Council approved the Managing Asbestos Policy and Guidelines which were drafted having regard to the Local Government NSW Model Asbestos Policy for Councils.
4. The policy and guidelines were reviewed in 2017 and deemed fit for purpose. Both are now due for review.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030

5. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:
  - (a) Direction 2 provides a road map for the City to become a leading environmental performer - The policy and guidelines provide education and best practice actions to assist Council, residents and businesses to reduce environmental impacts caused by asbestos.

### Organisational Impact

6. The revised policy and guidelines have negligible impact on service levels, staffing, facilities or processes. It is primarily an educative document for use by internal and external stakeholders.

### Risks

7. There have been no risks identified with the adoption of these documents. The policy and guidelines are primarily educational in nature and reflect current best practice and legislative requirements.

### Social / Cultural / Community

8. The revised policy and guidelines are educational documents intended to raise awareness of the risks associated with the mishandling of asbestos. The documents provide advice to the community on safe handling and disposal practices for asbestos in residential and commercial settings and clarify the regulatory role of Council and the penalties for improper handling or disposal.

**Environmental**

9. The revised policy and guidelines will continue to have a positive environmental impact within the Local Government Area. The intention of both documents is to educate the community on the safe handling and disposal of asbestos and minimise the mishandling of asbestos containing materials.

**Financial Implications**

10. The policy and guidelines are educational documents with no financial implications attached to the adoption of these documents.

**Relevant Legislation**

11. Councils are required by the Office of Local Government to have a policy outlining how they will manage the risks associated with asbestos in their local government area and must have regard to the Model Policy when drafting their own policy. Section 23A of the Local Government Act 1993 makes it a requirement for Councils to comply with relevant guidelines and policy.

**Critical Dates / Time Frames**

12. Once adopted by Council the revised policy and guidelines will be made available for public viewing on the City of Sydney website.

**Public Consultation**

13. Public consultation is not required, however Local Government NSW (LGNSW) and SafeWork NSW have provided comments which are incorporated into these documents.

**ANDREW THOMAS**

Acting Director City Planning, Development and Transport

Josh Bradshaw, Standards and Policy Manager